

REMARKS

This amendment responds to the office action mailed March 18, 2009. In the office action the Examiner:

- rejected claims 1-24, 26-30 and 48 under 35 U.S.C. 103(a) as being unpatentable over Allard et al. (US 6,249,773) in view of Yonezawa et al. (US 5,905,973);
- rejected claims 31 and 49 under 35 U.S.C. 103(a) as being unpatentable over Allard et al. (US 6,249,773) in view of Yonezawa et al. (US 5,905,973) and further view of Daughtrey (US 7,409,643);
- rejected claim 25 under 35 U.S.C. 103(a) as being unpatentable over Allard et al (US 6,249,773) in view of Yonezawa et al. (US 5,905,973) and further view of Szabo (US 5,954,640);
- rejected claims 32-34 and 40-43 under 35 U.S.C. 103(a) as being unpatentable over Himmel et al. (US 6,211,874) in view of Gibson (US 6,313,854) and further in view of Kaply (US 6,215,490);
- rejected claim 35 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further view of Gavron et al. (“Gavron”, “How to Use Microsoft Windows NT 4 Workstation”);
- rejected claim 36 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further in view of Tang et al. (US 5,793,365);
- rejected claims 37-39 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further in view of Itoh (US 5,966,122);
- rejected claim 44 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further in view of Moore et al. (US 6,330,575);
- rejected claim 45 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further view of Collins-Rector et al. (US 6,188,398);
- rejected claim 46 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further view of Applicant’s admitted prior art; and

- rejected claim 47 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and Applicant's admitted prior art and further in view of Lyengar et al. (US 6,360,205).

MCKESSON STATEMENT

In view of *McKesson Information Solutions v. Bridge Medical* (Fed. Cir. 2007), Applicants wish to inform the Examiner the prosecution history of US Patent Applications may contain information relevant to the pending application:

U.S. Patent Application 09/559,888, entitled "Method and Apparatus for Displaying Content on a Display Device," filed on April 6, 2000;

U.S. Patent 7,096,426, entitled "Clustered Presentation of Objects with Group and Individual Identity in, and Virtual Layer Composition or, Electronically Recorded, Computer Presented Media," filed on May 3, 2000;

U.S. Patent 7,542,920, entitled "System for Interactive, Computer Assisted Online Auctions," filed on July 29, 2000;

U.S. Patent Application 09/631,238, entitled "System and Method for Constructing and Displaying Active Virtual Reality Cyber Malls, Show Rooms, Galleries, Stores, Museums, and Objects Within," filed on August 2, 2000;

U.S. Patent 7,308,653, entitled "Automated Scrolling of Browser Content and Automated Activation of Browser Links," filed on July 29, 2000; and

U.S. Patent Application 11/924,582, entitled "Automated Scrolling of Browser Content and Automated Activation of Browser Links," filed on October 25, 2007.

The Examiner is encouraged to review the art made of record, office action(s) and the notice of allowance, if any, in the above-mentioned application, all of which are available on PAIR.

OVERVIEW OF CHANGES TO THE CLAIMS

Claims 1-6, 8-10, 12, 21, 27, 28, 29, 30, 31, 32, 42, 43, 46, 47, 48, 49, 50, 51, 52, 53, 54, 56, 64 and 65 have been amended.

Support for the amendment to claims 1, 27, 28, 29, 30, 48, 49 can be found in at least in the paragraph beginning at page 4, line 1 of the amended specification and Figures 8A-8D of the specification as filed.

Claims 2-6, 32, 42 and 43 have been amended to clarify the claims without changing the scope of the claims.

Support for the amendment to claim 21 can be found in at least the paragraph beginning at page 21, line 9 of the amended specification.

Support for the amendments to claims 8 and 31 can be found in at least the paragraph beginning at page 13, line 7 of the amended specification.

Support for the amendment to claims 9, 10 and 12 can be found in at least in the paragraph beginning at page 18, line 9 of the amended specification, the paragraph beginning at page 21, line 7 of the amended specification and Figures 8A-8D of the specification as filed.

Support for the amendment to claims 46 and 47 can be found in at least in the paragraph beginning at page 33, line 11 of the amended specification.

Claims 9, 10 and 12 have been amended to depend from claim 48.

Claims 50-54 have been amended to clarify that sub-frames are scrolled.

Claims 56, 64 and 65 have been amended to clarify the claims.

Claims 66-78 have been added.

Support for claims 66-69 can be found in at least Figures 8D and 8E of the specification as filed.

Support for claims 70 and 71 can be found in at least the paragraph beginning at page 22, line 1 of the amended specification.

Support for claim 72 can be found in claim 15 of the specification as filed.

Support for claims 73-78 can be found in at least in the paragraph beginning at page 18, line 9 of the amended specification and Figure 9A-9E of the specification as filed.

Support for claims 76-78 can be found in at least in the paragraph beginning at page 4, line 1 of the amended specification and Figures 8A-8D of the specification as filed.

With respect to all amendments, Applicants have not dedicated or abandoned any unclaimed subject matter. Moreover, Applicants have not acquiesced to any characterizations of the invention, nor any rejections or objections of the claims, made by the Examiner.

After entry of this amendment, the pending claims are: claims 1-78.

REMARKS CONCERNING REJECTIONS UNDER 35 U.S.C. 103

To establish prima facie obviousness of a claimed invention, all the claim elements must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Finding all the claim elements in the prior art is necessary, but not sufficient. *KSR Intern. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007) ("a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art"). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

A. Rejection of claims 1-24, 26-30 and 48 under 35 U.S.C. 103(a) as being unpatentable over Allard et al. (US 6,249,773) in view of Yonezawa et al. (US 5,905,973).

- 1. The combination of Allard and Yonezawa fails to disclose retrieving at least one associated webpage for each one of the selected plurality of digitally stored objects and simultaneously displaying together multiple ones of the retrieved webpages in single display screen.**

As amended, Claim 27 requires:

displaying an array of digitally stored objects;
selecting a plurality of digitally stored objects from the array of digitally stored objects, wherein each one of the selected plurality of digitally stored objects has at least one associated webpage;
after the selecting step, retrieving the at least one associated webpage associated with each one of the selected plurality of digitally stored objects, resulting in a plurality of retrieved webpages; and
simultaneously displaying together multiple ones of the retrieved webpages in a single display screen.
(Emphasis added).

In lieu of further amendments to the claims, the current argument is presented.

Allard discloses adding items to a virtual shopping cart or list. (Allard, Abstract) In Allard, the selected items have associated inventory data. (Allard, col. 4, lns 11-22) However, Allard does not teach or suggest that the inventory data is associated with a webpage. Thus, Allard fails to teach “simultaneously displaying together multiple ones of the retrieved webpages in a single display screen” as required by claim 27.

Yonezawa discloses adding items to a virtual shopping cart and viewing the items in the shopping cart. (Yonezawa, col. 5, lns 13-37). In Yonezawa, each item has associated item data which includes a shop code, item code, item name and unit price (Yonezawa, Figure 5 and col. 5, lns 38-46). In other words, the item data is at most a collection of numerical and textual information. Yonezawa does not teach or suggest that the item data is associated with a web page. Thus, Yonezawa does not teach or suggest “simultaneously displaying together multiple ones of the retrieved webpages in a single display screen” as required by claim 27.

In summary, the combination of Allard and Yonezawa, does not teach or suggest, “simultaneously displaying together multiple ones of the retrieved webpages in a single display screen.” Thus, there is no prima facie case of obviousness for independent claim 27 and associated dependent claims 28-31, 66 and 68. Independent claims 1, 48 and 57 and associated dependent claims 2-26, 48, 56-62 and 67-78 are patentable over the combination of Allard and Yonezawa for analogous reasons as those explained with respect to claim 27. Applicants respectfully request that this rejection be withdrawn.

B. Rejection of claims 32-34 and 40-43 under 35 U.S.C. 103(a) as being unpatentable over Himmel et al. (US 6,211,874) in view of Gibson (US 6,313,854) and further in view of Kaply (US 6,215,490).

The explanations and arguments with respect to claims 32-34 and 40-43 from the response filed on August 20, 2009 are hereby incorporated by reference into this response.

C. Rejection of claims 31 and 49 under 35 U.S.C. 103(a) as being unpatentable over Allard et al. (US 6,249,773) in view of Yonezawa et al. (US 5,905,973) and further view of Daughtrey (US 7,409,643).

The explanations and arguments with respect to claims 31 and 49 from the response filed on August 20, 2009 are hereby incorporated by reference into this response.

D. Rejection of claim 25 under 35 U.S.C. 103(a) as being unpatentable over Allard et al (US 6,249,773) in view of Yonezawa et al. (US 5,905,973) and further view of Szabo (US 5,954,640).

The explanations and arguments with respect to claims 25 from the response filed on August 20, 2009 are hereby incorporated by reference into this response.

- E. Rejection of claim 35 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further view of Gavron et al. (“Gavron”, “How to Use Microsoft Windows NT 4 Workstation”).**

The explanations and arguments with respect to claims 35 from the response filed on August 20, 2009 are hereby incorporated by reference into this response.

- F. Rejection of claim 36 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further in view of Tang et al. (US 5,793,365).**

The explanations and arguments with respect to claims 36 from the response filed on August 20, 2009 are hereby incorporated by reference into this response.

- G. Rejection of claims 37-39 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further in view of Itoh (US 5,966,122).**

The explanations and arguments with respect to claims 37-39 from the response filed on August 20, 2009 are hereby incorporated by reference into this response.

- H. Rejection of claim 44 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further in view of Moore et al. (US 6,330,575).**

The explanations and arguments with respect to claims 44 from the response filed on August 20, 2009 are hereby incorporated by reference into this response.

- I. Rejection of claim 45 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further view of Collins-Rector et al. (US 6,188,398).**

The explanations and arguments with respect to claims 45 from the response filed on August 20, 2009 are hereby incorporated by reference into this response.

claim 45. Applicants respectfully request that this rejection be withdrawn.

- J. Rejection of claim 46 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further view of Applicant’s admitted prior art.**

The explanations and arguments with respect to claims 46 from the response filed on August 20, 2009 are hereby incorporated by reference into this response.

K. Rejection of claim 47 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and Applicant's admitted prior art and further in view of Lyengar et al. (US 6,360,205).

The explanations and arguments with respect to claims 47 from the response filed on August 20, 2009 are hereby incorporated by reference into this response.


By responding in the foregoing remarks only to particular positions asserted by the Examiner, the Applicants do not necessarily acquiesce in other positions that have not been explicitly addressed. In addition, the Applicants' arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

CONCLUSION

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at (650) 843-4000, if a telephone call could help resolve any remaining items.

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Respectfully submitted,



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